

Decision 15-01-037 January 29, 2015

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Services and Facilities of Southern California Edison Company and San Diego Gas and Electric Company Associated with the San Onofre Nuclear Generating Station Units 2 and 3.

Investigation 12-10-013
(Filed October 25, 2012)

And Related Matters.

Application 13-01-016
Application 13-03-005
Application 13-03-013
Application 13-03-014

ORDER EXTENDING STATUTORY DEADLINE

Summary

This decision extends the statutory deadline in these proceedings to March 31, 2015.

Background

Pub. Util. Code § 1701.5(a) provides that ratesetting cases must be resolved within 18 months of the date the scoping memo is issued unless the Commission makes findings why that statutory deadline cannot be met and issues an order extending the 18-month deadline for a period not exceeding 60 days. In this proceeding, the statutory deadline is January 30, 2015.

On October 25, 2012, the Commission initiated this Order Instituting an Investigation (OII) to consolidate and consider issues raised by the extended outages of Units 2 and 3 at the San Onofre Nuclear Generating Station (SONGS).

When the Commission opened this investigation, it anticipated that other applications by Southern California Edison Company (SCE) and San Diego Gas & Electric Company (SDG&E) would be consolidated with this OIL. On April 19, 2013, the assigned Administrative Law Judge (ALJ) issued a ruling consolidating Application (A.) 13-03-005, A.13-03-013, A.13-03-014, and A.13-01-016, with this OIL.

A series of Prehearing Conferences, Public Participation Hearings, Evidentiary Hearings and Oral Arguments have been held in the course of this proceeding. The Commission has issued two decisions. Decision (D.) 13-06-013 authorized the Director of the Energy Division to retain one or more technical consultants to advise the Commission, its staff, and the assigned ALJ in this proceeding. D.14-11-040 approved a settlement agreement between SCE and SDG&E and four other settling parties which provided resolution of rate recovery issues related to the premature shutdown of SONGS, following a steam generator tube leak on January 31, 2012. D.14-11-040 resolved all of the ratesetting issues of these proceedings contemplated in previous scoping memos, in compliance with Pub. Util. Code Section 1701.5(a). However, D.14-11-040 left the proceedings open for consideration and potential prosecution of possible Rule 1.1 violations. Therefore, a 60-day extension of the statutory deadline until March 31, 2015, is appropriate.

Waiver of Comment Period

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions extending the deadline for resolving ratesetting proceedings. Accordingly, the otherwise applicable period for public review and comment is being waived.

Assignment of Proceeding

Michel Peter Florio is the assigned Commissioner and Melanie M. Darling and Kevin Dudney are the assigned ALJs in these proceedings.

Findings of Fact

1. The statutory deadline for resolving these ratesetting issues identified in prior scoping memos in these proceedings is January 30, 2015.
2. D.14-11-040 resolved the ratesetting issues identified in prior scoping memos.
3. D.14-11-040 left the proceedings open to consider additional issues.
4. A final decision is expected by March 31, 2015.
5. A 60-day extension of the statutory deadline is necessary to provide sufficient time for review and to issue a final decision.

Conclusion of Law

Pursuant to the authority granted to the Commission under Pub. Util. Code § 1701.5(a), the statutory deadline should be extended to March 31, 2015.

IT IS ORDERED that:

The statutory deadline in this proceeding, January 30, 2015, is extended until March 31, 2015.

This order is effective today.

Dated January 29, 2015, at San Francisco, California.

MICHAEL PICKER
President
MICHEL PETER FLORIO
CATHERINE J.K. SANDOVAL
CARLA J. PETERMAN
LIANE M. RANDOLPH
Commissioners